



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict of Interest Code — Notice File No. Z06-0905-03 1343

TITLE 2. STATE ALLOCATION BOARD

Leroy F. Greene School Facilities Act of 1998 — Notice File No. Z06-0905-02 1344

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

Oriental Fruit Fly Eradication Area — Notice File No. Z06-0901-02 1346

TITLE 4. CALIFORNIA GAMBLING CONTROL COMMISSION

Initial License Fee — Notice File No. Z06-0905-06 1348

TITLE 8. DIVISION OF WORKERS' COMPENSATION

Workers' Compensation Medical Fee Schedule — Notice File No. Z06-0830-01 1350

TITLE 10. OFFICE OF REAL ESTATE APPRAISERS

Licensing Real Estate Appraisers Criteria — Notice File No. Z06-0905-01 1354

TITLE 19. OFFICE OF THE STATE FIRE MARSHAL

Fire Extinguishers — Notice File No. Z06-0905-04 1356

TITLE 27. INTEGRATED WASTE MANAGEMENT BOARD

Active Disposal Site Gas Monitoring and Control — Notice File No. Z06-0905-05 1359

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State 1361

Sections Filed, April 5, 2006 to September 6, 2006 1363

*Time-
Dated
Material*

The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson West.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

ADOPTION/AMENDMENT

IEHP Health Access JPA

A written comment period has been established commencing on **September 15, 2006** and closing on **October 30, 2006**. Written comments should be directed to the Fair Political Practices Commission, Attention Teri Rindahl, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review; unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Direc-

tor of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **October 30, 2006**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Teri Rindahl, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respec-

tive agency. Requests for copies from the Commission should be made to Teri Rindahl, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. STATE ALLOCATION BOARD

NOTICE OF PROPOSED REGULATORY ACTION

THE STATE ALLOCATION BOARD PROPOSES TO AMEND REGULATION SECTIONS 1859.2, 1859.70.1, 1859.71.3 AND 1859.78.5, TITLE 2, CALIFORNIA CODE OF REGULATIONS, RELATING TO LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above-referenced regulation sections contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend existing Regulation Sections 1859.2, 1859.70.1, 1859.71.3, and 1859.78.5 under the authority provided by Section 17070.35 of the Education Code. The proposals interpret and make specific reference to Sections 17077.35, 100620, and 100820 of the Education Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per-pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by

the Office of Administrative Law and filed with the Secretary of State on October 8, 1999.

Assembly Bill (AB) 16 (Hertzberg), Chapter 33, Statutes of 2002, required SFP funds to be set aside for school districts meeting energy efficiency criteria in new construction and modernization projects. Propositions 47 and 55 have each designated \$20 million, for a total of \$40 million, for this purpose. From each bond fund, \$14.2 million was assigned to new construction energy grants and \$5.8 million was assigned to modernization energy grants.

The SAB adopted emergency regulatory amendments to the SFP at its April 26, 2006 meeting. Because the available school bond funds for modernization projects were depleted at this meeting, the SAB could not fund modernization projects; there remains an unused balance of \$5.9 million in modernization energy efficiency funds. The proposed amendments would allow the re-designation of \$5.9 million to the SFP account for modernization funding and to the SFP account for new construction funding for energy efficiency. These funding re-designations will remain consistent with the original school bond language specifying \$20 million from each of the Propositions for energy efficiency funding. The amendments are summarized as follows:

Existing Regulation Section 1859.2 provides definitions that are essential to these regulations. The proposed amendments delete the abbreviation “CEC” and replace the full name of this commission — “State Energy Resources Conservation and Development Commission.” In addition, “Proposition 55” is defined as the “Kindergarten–University Public Education Facilities Bond Act of 2004.”

Existing Regulation Section 1859.70.1 designates the funding sources comprising \$40 million transferred by the SAB into an SFP Energy Efficiency Account, to be apportioned as new construction additional grants for energy efficiency and modernization additional grants for energy efficiency. The proposed amendments maintain the \$40 million total for energy efficiency grants, but delete specified dollar amounts from each funding source, and specific funding designations of the \$40 million between new construction additional grants for energy efficiency and modernization additional grants for energy efficiency.

Existing Regulation Section 1859.71.3 authorizes supplemental new construction funding to school districts that include energy efficient components in their SFP new construction projects. The proposed amendments delete the abbreviation “CEC” and replace the full name of this commission — “State Energy Resources Conservation and Development Commission.”

Existing Regulation Section 1859.78.5 authorizes supplemental modernization funding to school districts that include energy efficient components in their SFP

modernization projects. The proposed amendments delete the abbreviation “CEC” and replace the full name of this commission — “State Energy Resources Conservation and Development Commission.”

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.

ECONOMIC IMPACT

The Executive Officer of the SAB has assessed the potential for significant adverse economic impact on businesses or private persons that might result from the proposed regulatory actions and the following determinations have been made relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- There will be no impact in the creation or elimination of jobs within the State, the creation of new businesses or the elimination of existing businesses or the expansion of businesses in California.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non-discretionary costs or savings to local agencies,
- There will be no costs to school districts except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- There are no costs or savings to any State agency.
- The SAB has made an initial determination that there will be no impact on housing costs.

EFFECT ON SMALL BUSINESSES

It has been determined that the adoption of the regulation sections will not affect small businesses in the ways

identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. This regulation only applies to school districts for purposes of funding school facility projects.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax, must be received at the OPSC no later than October 30, 2006 at 5:00 p.m. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, e-mail or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Robert Young,
Regulation Coordinator

Mailing Address: Office of Public School
Construction
1130 K Street, Suite 400
Sacramento, CA 95814

E-mail Address: robert.young@dgs.ca.gov

Fax No.: (916) 445-5526

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Robert Young at (916) 445-0083. If Mr. Young is unavailable, these questions may be directed to Lisa Jones, Supervisor, Regulations Team, at (916) 322-1043.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulations substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the

public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulation(s) during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in strikeout/underline.
2. A copy of this notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received, they will be added to the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Web site at: <http://www.opsc.dgs.ca.gov> under "Regulations," then click on "Proposed Regulations."

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SAB would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the Web site listed above.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3591.2, subsection (a), of the regulations in Title 3 of the California Code of Regulations pertaining to Oriental Fruit Fly Eradication Area as an emergency action that was effective on July 28, 2006. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than November 27, 2006.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before October 30, 2006.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts, and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761).

Section 3591.2, subsection (a), was amended and established Santa Barbara County as an eradication area for Oriental fruit fly, *Bactrocera dorsalis*. The effect of this action was to establish authority for the State to conduct eradication activities in Santa Barbara County against this pest. There is no existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3591.2 does not impose a mandate on local agencies or school districts and no reimbursement is required for Section 3591.2 under Section 17561 of the Government Code. The Department also has determined that no savings or increased costs to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the proposed action.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed actions will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed actions will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON AFFECTED PRIVATE PERSON OR BUSINESSES

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed adoption and amendment to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the

actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions.

AUTHORITY

The Department proposes to amend Section 3591.6, subsection (a), pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes to amend Section 3591.6, subsection (a), to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The proposed amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed to is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa.pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when

completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations amended by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of amendment. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 4. CALIFORNIA GAMBLING CONTROL COMMISSION

NOTICE OF PROPOSED RULEMAKING

“INITIAL STATE GAMBLING LICENSE FEE”

The California Gambling Control Commission (“Commission”) proposes to adopt the regulation described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Commission proposes to adopt Section 12341 of Title 4 of the California Code of Regulations, concerning fees for initial state gambling licenses.

NO APA PUBLIC HEARING

At this time, the Commission has not scheduled an APA (Administrative Procedure Act) public hearing. Any interested person or his or her duly authorized representative may request such a hearing pursuant to Government Code section 11346.8 no later than 15 days prior to the close of the comment period.

WRITTEN COMMENT PERIOD CLOSES OCTOBER 30, 2006

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission at any time during the 45-day public comment period. To be considered for summary and response, however, all written comments must be received no later than 5:00 p.m., Monday, October 30, 2006.

Written comments for the Commission’s consideration should be directed to:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator

California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833-4231; Telephone: 916-263-0490

E-mail: hbolz@cgcc.ca.gov FAX 916-263-0452.

OPEN MEETING OF COMMISSION

After the APA public comment period is concluded, the Commission will place this regulation item on its agenda for consideration and possible action during one of its regular public meetings, likely in November 2006. The dates of Commission public meetings are posted on the Commission website, www.cgcc.ca.gov. Also, agendas are mailed out 10 days in advance to anyone who asks to be placed on the agenda mailing list. Requests to be placed on the agenda mailing list may be addressed to Lisa King, Executive Assistant, at lking@cgcc.ca.gov or 916-263-0700.

AUTHORITY AND REFERENCE

Authority for the proposed regulations is provided by various provisions of the Gambling Control Act, which may be found in Business and Professions (“B & P”) Code sections 19800-19980. In particular, B & P Code sections 19811, 19824, 19840, 19841(a), and 19951(b)(2)(A).

The reference citation is as follows: the proposed regulations implement, interpret, or make specific B & P Code section 19951, as that section will read as of January 1, 2007, if AB 1620 becomes law.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

A bill that would raise fees applying to cardroom owner licensee applicants and otherwise revise B & P section 19951 has been passed by the Legislature and sent to the Governor. It is anticipated that the bill—AB 1620—will be signed. In order to avoid a situation in which the Commission loses the power to assess certain fees as of January 1, 2007, it is necessary to initiate the rulemaking process without delay to set by regulation the annual fee applying to initial owner-licensee state gambling license applicants. AB 1620 does not provide that the current statutorily set fee will continue until the regulations take effect; nor does it authorize the Commission to adopt emergency regulations without satisfying the normal emergency standard (in other words, the bill has no “deemed emergency” provision). Thus, in order to avoid a lapse in the fee authority, this rulemaking action is necessary.

In the event that the Governor does not sign AB 1620, Section 19951 would continue to set the annual fee in

question, and there would be no need for this rulemaking action. Therefore, if AB 1620 is not signed or allowed to take effect, then this rulemaking action will be discontinued in compliance with Government Code section 11347.

Existing law requires owners applying for initial state gambling licenses to pay three fees: (1) an application fee of \$500, (2) a deposit to cover costs incurred by the Division of Gambling Control in conducting background investigations, (3) and annual fees, sometimes referred to as "table fees." This action concerns the third fee. For several years, the annual fee has been set by reference to the schedule found in Subdivision (c) of B & P section 19951, which bases fees on the number of authorized tables in the cardroom.

Assuming that the amendments to B & P Code section 19951 that have been proposed in AB 1620 take effect, Section 19951 will be revised effective January 1, 2007. Section 19951, as amended, would do two things relevant here: raise the fees set in the schedule found in Subdivision (c) and provide that the fee for initial applicants will be set in an amount determined by the Commission in accordance with regulations. The proposed regulation provides that this fee would continue to be set by reference to the schedule found in Subdivision (c) of Section 19951.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: These regulations do not impose a mandate on local agencies or school districts.

Cost or savings to any state agency: None.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed upon local agencies: None

Cost or savings in federal funding to the state: None

Cost impact on representative private person or business: Applicants for initial owner-licensee gambling licenses would continue to pay the fees specified in B & P Code section 19951(c), at the somewhat higher levels prescribed by the Legislature in Subdivision (c), assuming that AB 1620 becomes law.

Impact on Business: The Commission has made an initial determination that the proposed regulatory changes will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: The Commission has made an initial determination that the proposed regulatory action would not affect housing costs.

Effect on small business: The Commission has made an initial determination that the effect these regulations will have on small business will be minor.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Commission must determine that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

ASSESSMENT REGARDING CREATION OR ELIMINATION OF JOBS IN CALIFORNIA

The Commission has made an assessment and determined that the adoption of the proposed regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action should be directed to:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator, California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833-4231; Telephone: 916-263-0490, E-mail: hbolz@cgcc.ca.gov, FAX 916-263-0452.

Requests for a copy of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, or other technical information upon which the rulemaking is based should be directed to:

Pam Ramsay, Legal Division Analyst, California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833-4231 Telephone: 916-263-8111, Email: pramsay@cgcc.ca.gov, Fax: 916-263-0499

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Commission will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the office at the above address. As of the date this notice is published in the Notice Regis-

ter, the rulemaking file consists of this notice, the proposed text of the regulation, and the Initial Statement of Reasons. A copy may be obtained by contacting Pam Ramsay at the address or telephone number listed above or accessing the Commission's website at <http://www.cgcc.ca.gov>. Upon its completion, the Final Statement of Reasons will be available and copies may be requested from Pam Ramsay or viewed on the website.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing, the Commission may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly indicated, will be made available to the public for at least 15 days prior to the date on which the Commission adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of Pam Ramsay at the address indicated above. The Commission will accept written comments on the modified regulation for 15 days after the date on which it is made available.

TITLE 8. DIVISION OF WORKERS' COMPENSATION

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION

NOTICE OF PROPOSED RULEMAKING AND INFORMATIVE DIGEST

Subject Matter of Regulations: Official Medical Fee Schedule — Pharmaceuticals

NOTICE IS HEREBY GIVEN that the Administrative Director of the Division of Workers' Compensation (hereinafter "Administrative Director"), exercising the authority vested in the Administrative Director by Labor Code sections 59, 133, 4603.5, 5307.1, and 5307.3, proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Department of Industrial Relations, Division of Workers' Compensation ("DWC"), proposes to amend Article 5.3 of Chapter 4.5, Subchapter 1, of Title 8,

California Code of Regulations, commencing with Section 9789.40:

Amend Section 9789.40 Pharmacy

TIME AND PLACE OF PUBLIC HEARING

A public hearing has been scheduled to permit all interested persons the opportunity to present statements or arguments, either orally or in writing, with respect to the subjects noted above. The hearing will be held at the following time and place:

Date: October 31, 2006

Time: 10:00 a.m. to 5:00 pm or conclusion of business

**Place: Auditorium
Elihu Harris State Building
1515 Clay Street
Oakland, California 94612**

The State Office Building and its Auditorium are accessible to persons with mobility impairments. Alternate formats, assistive listening systems, sign language interpreters, or any other type of reasonable accommodation to facilitate effective communication and program access for persons with disabilities, are available upon request. Please contact the Statewide Disability Accommodation Coordinator at 1-866-681-1459 (toll free), or through the California Relay Service by dialing 711 or 1-800-735-2929 (TTY/English) or 1-800-855-3000 (TTY/Spanish) as soon as possible to request assistance.

Please note that public comment will begin promptly at 10:00 a.m. and will conclude when the last speaker has finished his or her presentation or 5:00 p.m., whichever is earlier. If public comment concludes before the noon recess, no afternoon session will be held.

The Administrative Director requests, but does not require, that any persons who make oral comments at the hearing also provide a written copy of their comments. Equal weight will be accorded to oral comments and written materials.

AUTHORITY AND REFERENCE

The Administrative Director is undertaking this regulatory action pursuant to the authority vested in the Administrative Director by Labor Code sections 59, 133, 4603.5, 5307.1, and 5307.3.

Reference is to Labor Code Sections 4600, 4603.2, and 5307.1.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law establishes a workers' compensation system, administered by the Administrative Director of

the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. Labor Code section 5307.1 requires the Administrative Director to adopt an official medical fee schedule that establishes maximum fees paid for medical services under the workers' compensation system.

Existing law, commencing January 1, 2004, requires the Administrative Director to adopt these fees in accordance with the fee-related structure and rules of the relevant Medicare and Medi-Cal payment systems. The existing § 9789.40 provides that for drugs not covered by the Medi-Cal payment system, the Official Medical Fee Schedule (OMFS) of 2003 applies. Many drugs which are commonly dispensed by physicians are not covered by the Medi-Cal payment system. This regulation amendment is intended to provide a pricing scheme for those drugs.

This proposed regulatory change implements, interprets, and makes specific Sections 4600, 4603.2, and 5307.1 of the Labor Code as follows:

Section 9789.40. Pharmacy.

This section sets forth the maximum reasonable fees for pharmacy services.

(a) This subdivision sets forth the maximum reasonable fees for pharmacy services after January 1, 2004. The word *pharmaceuticals* is added before the phrase *pharmacy services*, to clarify that the entire regulation applies both to drugs dispensed by a pharmacy, and drugs dispensed directly by a physician. The word *fee* is changed to *reimbursement*, to mirror the language used in the Medi-Cal statutes. The phrase *including the Medi-Cal professional fee for dispensing* is added at the end of the first sentence.

(b) This subdivision is changed to provide that if a pharmacy service or drug is not covered by Medi-Cal, the maximum reasonable fee is to be determined according to the rules of this subdivision, plus the professional dispensing fee of \$7.25, or \$8.00 for nursing home patients.

(b)(1) This subdivision provides that if the National Drug Code (NDC) for the product as dispensed, is not in the Medi-Cal database, but the NDC for the underlying drug product from the original labeler is in the Medi-Cal database, then the maximum reasonable fee is the fee that would be allowed pursuant to Welfare and Institutions Code section 14105.45, using the NDC for the underlying drug product, calculated on a per unit basis.

(b)(2) This subdivision provides that if neither the NDC of the drug as dispensed, nor the NDC for the underlying drug from the original labeler is in the Medi-Cal database, then the reimbursement is 83% of the average wholesale price of the lowest priced therapeutically equivalent drug, calculated on a per unit basis.

(c)(1) This subdivision provides a definition of therapeutically equivalent drugs.

(c)(2) This subdivision provides a definition of the phrase *National Drug Code for the underlying drug product from the original labeler*.

(d) This subdivision provides that these changes are to become effective December 1, 2006.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Administrative Director has made the following initial determinations:

- **Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:** None.
- **Adoption of this regulation will not: (1) create jobs within the State of California; (2) create new businesses or eliminate existing businesses within the State of California; or (3) affect the expansion of businesses currently doing business in California.**
- **Adoption of this regulation may possibly eliminate jobs within the State of California.**
- **Effect on Housing Costs:** None.
- **Cost impacts on representative private person or business:** The Administrative Director has made an initial determination that the proposed regulations will have the following cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed regulations: To the extent that the representative private person or business is a medical office which dispenses drugs directly to workers' compensation patients, the medical office will experience a decrease in income, due to a much smaller profit on the dispensed drugs. As it cannot be known what is the current dollar volume of physician dispensed drugs, nor the dollar volume of such drugs for a typical medical office, there cannot be an estimate of the actual cost impact for any such representative private person or business. The Administrative Director has made an initial determination that the proposed regulations may have a significant adverse economic impact on representative private persons or directly affected businesses. The entities directly affected by the regulation, which governs payments for pharmaceuticals in workers' compensation cases, include: (1) employers who are large and financially secure enough to be permitted to self-insure their workers' compensation liability and who

administer their own workers' compensation claims; (2) private insurance companies which are authorized to transact workers' compensation insurance in California; (3) large pharmaceutical manufacturers and repackagers; and (4) medical offices which dispense drugs directly to workers' compensation patients. Only the last two categories, manufacturers, repackagers, and medical offices, will experience an economic impact which is adverse.

FISCAL IMPACTS

- **Costs or savings to state agencies or costs/savings in federal funding to the State:** Minimal costs to state agencies in their capacity as employers, which may result from the need to revise computer programs, if any, for determining correct pharmaceutical maximum fees. Some savings to state agencies in their capacity as employers, which will result from lower prices paid for some pharmaceuticals provided to employees in workers' compensation cases.
- **Mandate on Local Agencies:** None. The proposed regulations will not impose any new mandated programs or increased service levels on any local agency or school district. The potential costs imposed on all public agency employers by these proposed regulations, although not a benefit level increase, are not a new State mandate because the regulations apply to all employers, both public and private, and not uniquely to local governments. The Administrative Director has determined that the proposed regulations will not impose any new mandated programs on any local agency or school district. The California Supreme Court has determined that an increase in workers' compensation benefit levels does not constitute a new State mandate for the purpose of local mandate claims because the increase does not impose unique requirements on local governments. See County of Los Angeles v. State of California (1987) 43 Cal.3d 46. The potential costs imposed on all public agency employers and payors by these proposed regulations, although not a benefit level increase, are similarly not a new State mandate because the regulations apply to all employers and payors, both public and private, and not uniquely to local governments.
- **Cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4**

of the Government Code: None. (See "Local Mandate" section above.)

- **Other nondiscretionary costs/savings imposed upon local agencies:** None. (See "Local Mandate" section above.)

EFFECT ON SMALL BUSINESS

The Administrative Director has determined that the proposed regulation will affect small business.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Administrative Director must determine that no reasonable alternative considered or that has otherwise been identified and brought to the Administrative Director's attention would be more effective in carrying out the purpose for which the actions are proposed, or would be as effective and less burdensome to affected private persons than the proposed actions.

The Administrative Director invites interested persons to present reasonable alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

PUBLIC DISCUSSIONS OF PROPOSED REGULATION

Proposed regulatory language was posted on the forum website of DWC, and public comment was received and considered.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION/INTERNET ACCESS

An initial Statement of Reasons and the text of the proposed regulation have been prepared and are available from the contact person named in this notice. The entire rulemaking file will be made available for inspection and copying at the address indicated below or a copy will be provided upon written request.

In addition, this Notice, the Initial Statement of Reasons, and the text of regulations may be accessed and downloaded from the Department of Industrial Relations' Internet site at www.dir.ca.gov under the heading "Rulemaking-proposed regulations." Any subsequent changes in regulation text and the Final Statement of Reasons will be available at that Internet site when made.

PRESENTATION OF ORAL AND/OR WRITTEN
COMMENTS, USE OF PHOTOGRAPHY AT
HEARING, AND DEADLINE FOR SUBMISSION
OF WRITTEN COMMENTS

Members of the public are invited to present oral and/or written statements, arguments or evidence at the public hearing. If you provide a written comment, it will not be necessary to present your comment as oral testimony at the public hearing. To provide everyone a chance to speak, public testimony will be limited to 10 minutes per speaker and should be specific to the proposed regulations. Testimony which would exceed 10 minutes may be submitted in writing. In order to ensure unimpeded access for disabled individuals wishing to present comments and to facilitate the accurate transcription of public comments, camera usage will be allowed in only one area of the hearing room.

Any person may submit written comments on the proposed regulation to the DWC contact person:

Ms. Maureen Gray
Regulations Coordinator
Division of Workers' Compensation
Post Office Box 420603
San Francisco, CA 94142

Written comments may also be submitted by facsimile transmission (FAX), addressed to the contact person at (510) 286-0687. Written comments may also be sent electronically (via e-mail), using the following e-mail address: dwcrules@hq.dir.ca.gov

Unless submitted prior to or at the public hearing, all written comments must be received by the agency contact person, no later than 5:00 p.m. on October 31, 2006. Equal weight will be accorded to oral and written materials.

COMMENTS TRANSMITTED
BY E-MAIL OR FACSIMILE

Due to the inherent risks of non-delivery by facsimile transmission and email transmission, the Administrative Director suggests, but does not require, that a copy of any comments transmitted by facsimile transmission or email transmission also be submitted by regular mail.

Comments sent to other e-mail addresses or other facsimile numbers will not be accepted. Comments sent by e-mail or facsimile are subject to the deadline set forth above for written comments.

AVAILABILITY OF RULEMAKING FILE
AND LOCATION WHERE RULEMAKING
FILE MAY BE INSPECTED

Any interested person may inspect a copy or direct questions about the proposed regulation, the Initial Statement of Reasons, and any supplemental information contained in the rulemaking file.

The rulemaking file, including the Initial Statement of Reasons, the complete text of the proposed regulation and any documents relied upon in this rulemaking may be inspected during normal business hours (8:00 a.m. to 5:00 p.m., Monday through Friday, excluding public holidays) at the following location:

Division of Workers' Compensation
1515 Clay Street, 17th Floor
Oakland, California 94612

AVAILABILITY OF RULEMAKING
DOCUMENTS ON THE INTERNET

Documents concerning this proceeding are available on the Division's website: www.dir.ca.gov. To access them, click on the "Rulemaking — proposed regulations" link, then click on the "Division of Workers' Compensation regulations" link and scroll down the list of rulemaking proceedings to find the rulemaking link, "Official medical fee schedule — pharmaceuticals."

CONTACT PERSON

Nonsubstantive inquiries concerning this action, such as requests to be added to the mailing list for rulemaking notices, requests for copies of the text of the proposed regulation, the Initial Statement of Reasons, and any supplemental information contained in the rulemaking file may be directed to the contact person. The contact person is:

Ms. Maureen Gray
Regulations Coordinator
Division of Workers' Compensation
Post Office Box 420603
San Francisco, CA 94142

The telephone number of the contact person is (510) 286-7100.

BACK-UP CONTACT PERSON/CONTACT
PERSON FOR SUBSTANTIVE QUESTIONS

To obtain responses to questions regarding the substance of the proposed regulation, or in the event the contact person is unavailable, inquiries should be directed to: Richard Starkeson, Counsel, at the same ad-

dress and telephone number as noted above for the contact person.

AVAILABILITY OF CHANGES FOLLOWING PUBLIC HEARING

If the Administrative Director makes changes to the proposed regulation as a result of the public hearing and public comment received, the modified text with changes clearly indicated will be made available for public comment for at least 15 days prior to the date on which the regulation is adopted. The modified text will be made available on the Division's website: www.dir.ca.gov and may be located by following the direction provided above.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice or may be accessed on the Division's website: www.dir.ca.gov by following the directions provided above.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest, will automatically be sent to those interested persons on the Administrative Director's mailing list.

If adopted, the regulations will appear in Title 8, California Code of Regulations, commencing with section 9789.40.

TITLE 10. OFFICE OF REAL ESTATE APPRAISERS

NOTICE IS HEREBY GIVEN that the Director of the Office of Real Estate Appraisers proposes to amend California Code of Regulations, Title 10, section 3528 relative to the practice of real estate appraisal for purposes of clarity and to implement specific requirements of the Appraiser Qualifications Board of the Appraisal Foundation.

A public hearing for the collection of comments about this proposal has not been scheduled. However, any interested person or his or her duly authorized representative may present statements, arguments or conclusions in writing. In addition, a public hearing will be held if, no later than fifteen days prior to the close of the written comment period, an interested person or his or her duly authorized representative submits in writing to the Office of Real Estate Appraisers a request that a hearing be held.

Any written comments on the proposed regulations must be received no later than 5:00 p.m. on October 30, 2006, which is hereby designated as the close of the written comment period. Please submit written comments to:

Office of Real Estate Appraisers
1102 Q St., Suite 4100
Sacramento, CA 95814

CONTACT

Inquiries concerning the action described in this Notice may be directed to Anthony F. Majewski at (916) 440-7878 or to Greg Harding at (916) 440-7874.

AUTHORITY AND REFERENCE

Pursuant to the authority vested in the Office of Real Estate Appraisers by sections 11302, 11310, 11313, 11314, 11328, 11360, 11361, Business and Professions code, Section 87300, Government Code, and to implement, interpret or make specific Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, PL-101-73, (FIRREA), the director of OREA is proposing changes to California Code of Regulations, Title 10, Chapter 6.5, section 3528.

The US Congress enacted Title XI of FIRREA in 1989, mandating all appraisals performed for federally related real estate transactions as defined must be performed by state licensed or certified real estate appraisers. In response to the federal mandate, the California Legislature passed the Real Estate Appraisers' Licensing and Certification Law [Stats. 1990, c. 491 (AB 527), amended by Stats. 1990, c. 1062 (SB 910), Stats. 1991, c. 84 (SB 1028), Stats. 1991, c. 1091 (AB 1487), Stats. 1992, c. 95 (SB 1958), Stats. 1992, c. 767 (SB 492), Stats. 1993, c. 331 (SB 914), Stats. 1993, c. 343 (SB 173), Stats. 1993, c. 940 (AB 1723), Stats. 1993, c. 941 (AB 387), Stats. 1994, c. 837 (AB 2634), Stats. c. 439 (SB 1316), Stats. 1997, c. 790 (SB 1348), Stats. 1998, c. 366 (AB 2244), and Stats. 1999, c. 974 (AB 431)].

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Pursuant to provisions of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, states may only issue real estate appraiser licenses to individuals who meet at least the minimum education, experience and examination qualifications established by the Appraiser Qualifications Board of the Appraisal Foundation. The Appraisal Subcommittee of the Federal Financial Institutions Examination Council ensures that state appraiser licensing and regulatory agencies

implement the minimum qualifications. Under current California law, Business and Professions Code, section 11300 *et seq.*, OREA is charged with licensing real estate appraisers who meet at least the minimum qualifications and for enforcing ethical and professional standards.

Existing regulation in section 3528 requires all applicants for, and holders of any license authorized under these regulations to meet the minimum requirements set forth in Chapter 6.5 or those established by the Appraiser Qualifications Board, whichever are greater. From time to time, the Appraiser Qualifications Board revises the license qualification criteria to include additional education, experience an/or examination requirements.

In February 2004, the Appraiser Qualifications Board adopted new criteria that will become effective on January 1, 2008. Those new criteria establish additional qualifying education requirements, specify time limits for acquiring practical appraisal experience, and require the development and administration of a revised examination. In adopting the new criteria, the Appraisal Subcommittee provided some flexibility to state licensing agencies in how they may implement the criteria. States may adopt a "firm date" implementation approach or a "segmented" approach and they must implement the statutory or regulatory changes necessary to implement the revised criteria.

In states that adopt a firm date approach, individuals who file applications on or after January 1, 2008, must meet all of the increased education requirements and must take the new national licensing examination. Applicants in firm date states who file before January 1, 2008, must submit complete applications verifying that they have met all of the current licensing criteria and all requirements contained in state statute and regulation.

In states that adopt a segmented approach, the state licensing agencies determine when a component of the criteria was completed and then determine whether the applicant conformed to Appraiser Qualifications Board criteria in effect at the time that component was completed. Under the segmented approach, applicants may conform one component to one set of criteria and another component to a different set of criteria.

The Office of Real Estate Appraisers has adopted an approach that permits applicants to file applications prior to January 1, 2008, documenting the completion of one component (for example, the education component) under the criteria in effect at the time and to complete the remaining components on or after January 1, 2008, provided those components comply with the revised criteria.

The additional regulatory language to California Code of Regulations, Title 10, section 3528, will clarify the method the Office of Real Estate Appraisers will use

to evaluate applications for appraiser licenses relative to the increased licensing criteria that will become effective on January 1, 2008. Specifically, the additional language will ensure that prospective applicants will be aware that if they file an application for licensure on or before December 31, 2007, and they have completed either the experience or the education requirement, or both, they will be deemed as having completed those requirements in conformance with currently existing licensing criteria. They will be able to complete any uncompleted licensing requirements on or after January 1, 2008, to become licensed. Absent this regulatory change, applicants who do not file a complete application by December 31, 2007, indicating compliance with all current licensing criteria, will be required to comply with all of the revised licensing requirements including the new education requirements.

The additional regulatory language will also ensure that the Appraisal Subcommittee is aware as soon as possible of the method the Office of Real Estate Appraisers has selected to implement the new licensing requirements.

FISCAL IMPACT

- Cost or Savings to Any State Agency: None
- Direct or indirect costs or savings in federal funding to the state: None
- Other nondiscretionary cost or savings imposed on local agencies: None
- Costs to any local agencies or school districts, or a mandate which requires reimbursement pursuant to part 7 (commencing with Section 17500) of Division 4 of the Government Code: None

DETERMINATIONS

The Office of Real Estate Appraisers has made an initial determination that the adoption/amendment/peal of this regulation:

- Does not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with business in other states.
- Does not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 1.7500) of Division 4 of the Government Code.
- Does not have an effect on housing costs.
- Does not significantly affect: (1) the creation or elimination of jobs within the State of California; (2) the creation of new businesses, the expansion of business or the elimination of existing

businesses currently doing business within the State of California.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Adoption of the revised Appraiser Qualifications Board criteria is a mandatory requirement placed on state appraiser licensing agencies in order for appraisals performed by state licensed appraisers to be acceptable in federally related real estate transactions. This amendment clarifies the method the Office of Real Estate Appraisers has determined is the most effective approach to implement the revised criteria. The Office of Real Estate Appraisers had determined that there is no adverse impact on representative persons or businesses. On the contrary, the selected method will ensure that prospective applicants do not incur an adverse impact of having to meet all of the revised criteria while having already met some of the current criteria.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

OREA has prepared and has available for public review an Initial Statement of Reasons for the proposed changes to these regulations, the information upon which the proposed changes are based and the text of the proposed regulations, as changed. A copy of the Initial Statement of Reasons and a copy of the proposed regulation text are available upon request by writing to the Office of Real Estate Appraisers at the address noted above, which will also be the location of public records, including reports, documentation and other materials related to the proposed regulations. The information may also be accessed on the Office of Real Estate Appraisers website at www.orea.ca.gov

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice or may be accessed on the website listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation, which is changed or modified from the express terms of the proposed action, will be made available by the Office of Real Estate Appraisers at least 15 days prior to the date on which the

Office of Real Estate Appraisers adopts, amends or repeals the resulting regulations.

ADDITIONAL STATEMENTS AND COMMENTS

Economic Impact

The Office of Real Estate Appraisers has determined that the proposed regulatory action will have no adverse economic impact on California businesses.

The proposed regulatory action will have no effect on expansion of businesses currently doing business in California.

EFFECT ON SMALL BUSINESS

The Office of Real Estate Appraisers has determined that the adoption of these regulations will have no effect on small businesses. The adoption of this regulation will neither restrict entry into the field of appraisal for prospective applicants nor proscribe current licensees from practicing their profession. The effect of the amendment is to ensure that applicants are aware of the method the Office of Real Estate Appraisers will use to implement new licensing criteria adopted by the Appraiser Qualifications Board.

CONSIDERATION OF ALTERNATIVES

OREA has determined that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

TITLE 19. OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED RULEMAKING

OFFICE OF THE STATE FIRE MARSHAL TITLE 19, DIVISION 1, CHAPTER 3

NOTICE IS HEREBY GIVEN that the State Fire Marshal proposes to adopt the proposed regulations described below after considering all comments, objections or recommendations regarding the proposed action.

PUBLIC HEARING

The State Fire Marshal has not scheduled a public hearing on this proposed action. However, the State Fire Marshal will hold a public hearing if a written request is

received from any interested party or their authorized representative no later than 15 days before the end of the 45 day comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the State Fire Marshal. The written comment period closes at 5:00 p.m. on October 30, 2006. The State Fire Marshal will consider only comments received the State Fire Marshal office by that time. Submit comments to:

OFFICE OF THE STATE FIRE MARSHAL
Attention: Kevin Reinertson
P.O. Box 944246
Sacramento, CA 94244-2460

Or by e-mail to

Kevin.reinertson@fire.ca.gov

Or you can fax your comments to:

Attention: Kevin Reinertson
(916) 327-4998

AUTHORITY & REFERENCE

The State Fire Marshal is proposing this regulatory action pursuant to Health and Safety Code Section: 13160 with reference to Sections 13160, 13175.1, and 13183 Health and Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Health and Safety Code Section 13160 contains provisions authorizing the State Fire Marshal to regulate portable fire extinguishers. This regulatory action would clarify the definitions used in the regulation, update the referenced standards, and clarify existing regulatory requirements. Specifically, this regulatory action will add the definitions for "Accurate Scales" for extinguisher maintenance, cartridge maintenance, and commercial applications. Although cited in current regulations, there was no clear definition of the term "Accurate Scale". This action also updates the referenced ANSI/UL standards to the most recent editions. In addition, this action will clarify the requirements for the return of replaced extinguisher parts and acknowledgment of the owner for service conducted on extinguishers prior to its due date. These proposed regulations also address the use of electronic monitoring of fire extinguishers.

Modified Sections

Section 557.1 is being proposed to be amended to add definitions for Accurate scales.

Section 561.2 is being proposed to be amended to update the referenced standards and to add referenced standards for Clean Agent and Loaded Stream/K-class extinguishers.

Section 565.2 is being proposed to be amended to delete reference to Class K hazards.

Section 566(b) is being amended to delete the exception for extinguishers for Class K fires.

Section 568 is being proposed to be amended to correct reference to the correct Table.

Section 573 is being proposed to be amended to address extinguishers for multiple hazards in commercial cooking areas

Section 574.1 is being proposed to be amended to reference manual inspection of extinguishers and to include electronic monitoring.

Section 574.2 is being proposed to be amended to recognize when and where electronic monitoring may be used and what it must accomplish.

Section 574.3 is being proposed to be amended to include reference to all conditions where corrective action is necessary and to correctly reference item numbers identified in section 574.2.

Section 574.4 is being proposed to be repealed.

Section 574.5 is being proposed to be renumbered to 574.4 and amended to correctly reference item numbers identified in section 574.2.

Section 574.6 is being proposed to be renumbered to 574.5 and amended to differentiate between the records required to be kept for manual and electronic monitoring. In addition, the section is amended to identify the owner as responsible for the records for a period of not less than one year.

Section 575.1 is being proposed to be amended to address how notification is to be made for returned parts. In addition, an exception is being added to the requirement prohibiting early service.

Section 575.3 is being proposed to be amended to include reference to new definition of accurate scales and how accuracy is determined. In addition, the prohibition of fish scales usage has been added.

Table 4 is being proposed to be amended to add reference to electronic monitoring devices and the corrective action used for certain conditions found during maintenance.

Section 575.4 is being proposed to be amended to relocate the definition of an accurate scale for weighing cartridges to Section 557.1.

Section 578.1 is being proposed to be amended to change the term chemical to agent and to specify the type of accurate scale required when agent is sold by weight.

Section 591.5 is being proposed to be amended to clarify the requirements for replacement extinguishers and to add the requirement for the extinguisher be returned in 60 days.

Section 594.3 is being proposed to be amended to reference Certificate of Registration.

Section 595.1 is being proposed to be amended to delete reference to Certificates of Registration being transferable.

Section 596.1 is being proposed to be amended to delete reference to the 6 year maintenance from the Hydrostatic Test Labels.

Section 596.2 is being proposed to be amended to change the size of the annual maintenance tags to match that used by other States.

DISCLOSURES REGARDING THE PROPOSED ACTION

The State Fire Marshal has made the following initial determinations:

1. Mandate on local agencies and school districts: **None**
2. Cost or savings to any other State agency: **None**
3. Cost to any local agency or school district which must be reimbursed in accordance with Government Code, Section 17561: **None**
4. Other non-discretionary cost or savings imposed upon local agencies: **None**
5. Cost or savings in federal funding to the State: **None**
6. Significant Statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other States: **None**
7. Cost impact on private persons or directly affected businesses: The agency is not aware of any cost impacts that a representative, private person or business would necessarily incur in reasonable compliance with the proposed action.
8. Adoption of these regulations will not:
 - (1) create or eliminate jobs within California
 - (2) create new businesses or eliminate existing businesses within California; or
 - (3) affect the expansion of businesses currently doing business within California
9. Significant effect on housing costs: **None**

SMALL BUSINESS EFFECTS

The State Fire Marshal has made an initial determination that the amendments to these regulations may affect small business.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5 subdivision (a)(12) the State Fire Marshal must determine that no reasonable alternative considered by it or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons of the proposed action.

The State Fire Marshal invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSON

Inquires concerning the substance of the proposed action or requests for copies of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based may be directed to:

Kevin Reinertson
P.O. Box 944246
Sacramento, California 94244-2460
Telephone: (916) 327-4998
Fax: (916) 445-8459

The backup contact person for these inquiries is:

James Parsegian
P.O. Box 944246
Sacramento, California 94244-2460
Telephone: (916) 445-8415
Fax: (916) 445-8458

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Office of the State Fire Marshal will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office, shown above. As of this date, this notice is published in the Notice Register. The State Fire Marshal has prepared a statement of reasons for the proposed action. The full text of the regulations, along with the statement of reasons upon which the changes are based is available from the contact person as shown. Copies may be obtained by contacting Kevin Reinertson at the address or telephone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the hearing, if required, the State Fire Marshal may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text — with changes indicated — shall be made available to the public for at least 15 days prior to the date which the State Fire Marshal adopts, amends or repeals the regulations. Requests for copies of any modified regulations should be sent to Kevin Reinertson at the address indicated above. The State Fire Marshal will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Kevin Reinertson at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at www.fire.ca.gov.

TITLE 27. INTEGRATED WASTE MANAGEMENT BOARD

NOTICE OF PROPOSED RULEMAKING

Title 27:	Environmental Protection
Division 2:	Solid Waste
Chapter 3:	Criteria for All Waste Management Units, Facilities, and Disposal Sites
Subchapter 4:	Criteria for Landfills and Disposal Sites
Article 6:	Gas Monitoring and Control at Active and Closed Disposal Sites
Sections:	20918, et seq.

PROPOSED REGULATORY ACTION

The California Integrated Waste Management Board (CIWMB) proposes to amend Title 27, California Code of Regulations (27 CCR), Division 2, Chapter 3, Subchapter 4, Article 6, §20918 et seq. The proposed

changes (1) modify the regulations governing landfill gas monitoring and control at active disposal sites by incorporating the more detailed criteria presently applicable only to closed disposal sites and (2) include appropriate cleanup language for clarity and consistency.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulations to the CIWMB. **The written comment period for this rulemaking ends at 5:00 p.m. on October 30, 2006.** The CIWMB will also accept oral and written comments during the public hearing described below. Please submit your written comments to:

John Bell
California Integrated Waste Management Board
Permitting & Enforcement Division
P.O. Box 4025, M.S. 16
Sacramento, CA 95812-4025

e-mail: <mailto:jbelle@ciwmb.ca.gov>
Fax: (916) 319-7181
Phone: (916) 341-6368

PUBLIC HEARING

A public hearing to receive comments on the proposed rulemaking will be scheduled for December 4, 2006. The hearing will be held in the Coastal Hearing Room (Second Floor) at the Joe Serna, Jr. Cal/EPA Building, 1001 I Street, Sacramento, California. The hearing will begin at 10:00 a.m. and conclude after the public gives all testimony. The CIWMB requests that persons who make oral comments at the hearing submit written copies of their testimony at the hearing. The Coastal Hearing Room is wheelchair accessible.

INFORMATIVE DIGEST

The Integrated Waste Management Act (Act), PRC §40000 et seq., provides for the protection of public health and safety and the environment through waste prevention, waste diversion, and solid waste processing and disposal. Existing landfill gas monitoring and control regulations for disposal sites in the post-closure care period are much more comprehensive than the regulations for active disposal sites. At its September 17, 2004 meeting, the CIWMB Permitting and Enforcement Committee directed staff to implement the CIWMB-funded 2004 GeoSyntec Landfill Facility Compliance Study recommendation that “the landfill gas monitoring and control regulations for the active

life of the landfill be changed so that they are as comprehensive as the regulations for gas monitoring and control during the post-closure care period.” This would provide consistency as well as additional guidance to solid waste Local Enforcement Agencies (LEAs) at active disposal sites, which like closed sites, may have gas-related compliance issues. This should also bring increased compliance with landfill gas issues at active sites.

POLICY STATEMENT OVERVIEW

The CIWMB has determined that there is a need to modify existing active disposal site gas monitoring and control regulations to include the more detailed criteria for closed disposal sites along with appropriate clean-up language as a means of providing clarity and consistency with state law.

PLAIN ENGLISH REQUIREMENTS

CIWMB staff prepared the proposed regulatory changes pursuant to the standard of clarity provided in Government Code §11349 and the plain English requirements of Government Code §§11342.580 and 11346.2(a)(1). The proposed regulations are considered non-technical and can be easily understood by those who will use them.

AUTHORITY AND REFERENCES

PRC §§40502, 43020, and 43021 provide authority for this proposed regulation change. The purpose of the proposed regulation is to implement, interpret and make specific PRC Section 44009.

FEDERAL LAW OR REGULATIONS MANDATE

Federal law or regulations do not contain comparable requirements and as an approved state under Subtitle D of the Resource Conservation and Recovery Act (42 U.S.C.A. §§6901 et seq.), the State of California has the authority to promulgate such regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

CIWMB staff has determined that the proposed regulation changes will result in no costs or savings to state agencies, no costs to any school districts that are required to be reimbursed under Part 7 (commencing with §17500) of Division 4 of the Government Code, no other non-discretionary costs or savings on local agencies

or school districts, and no costs or savings in federal funding to the state.

CIWMB staff has determined that the proposed regulations do not impose a mandate on local school districts.

EFFECT ON HOUSING COSTS

CIWMB staff made an initial determination that the proposed regulation changes would not have a significant effect on housing costs.

EFFECT ON BUSINESSES

CIWMB staff made an initial determination that the proposed regulation changes would not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

CIWMB staff made an initial determination that the proposed regulation changes would not have a statewide adverse economic impact on small businesses including the ability of California businesses to compete with businesses in other states. Due to the capital investment required, few small businesses establish and operate solid waste landfills. As such these regulations will not affect small business in that no small business is required to comply with the regulations, none is required to enforce the regulations, and none derives a benefit nor incurs a detriment from the enforcement of the regulations.

EFFECT ON CREATION OR ELIMINATION OF JOBS, EXISTING OR NEW BUSINESS IN THE STATE OF CALIFORNIA

CIWMB staff has determined that the proposed regulatory action will not affect: 1) the creation or elimination of jobs within the State of California; 2) the creation of new or the elimination of existing businesses with California; or 3) the expansion of businesses currently doing business with the state.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

CIWMB staff analyzed the economic impact of the proposed action. The CIWMB estimates that 25 private landfills could incur projected annual increases in compliance costs. The economic analysis indicates a net total statewide cost of the proposed regulations of \$60,000 over a five-year period.

CONSIDERATION OF ALTERNATIVES

The CIWMB must determine that no reasonable alternative considered by the CIWMB or that has otherwise been identified and brought to the attention of the CIWMB would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. The CIWMB invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSONS

Inquires concerning the proposed administrative action or the substance of the proposed regulations may be directed to:

John Bell
California Integrated Waste Management Board
Permitting & Enforcement Division
P.O. Box 4025, M.S. 16
Sacramento, CA 95812-4025
e-mail: <mailto:jbelle@ciwmb.ca.gov>
Fax: (916) 319-7178
Phone: (916) 341-6368

Back-up contact person to whom inquires concerning the proposed administrative action or the substance of the proposed regulations may be directed:

Michael Wochnick
California Integrated Waste Management Board
Permitting & Enforcement Division
P.O. Box 4025, M.S. 20
Sacramento, CA 95812-4025
e-mail: <mailto:mwochnic@ciwmb.ca.gov>
Fax: (916) 319-7334
Phone: (916) 341-6318

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The CIWMB will have the entire rulemaking file and all information upon which the proposed regulations are based available for inspection and copying throughout the rulemaking process at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Copies may be obtained by contacting John Bell at the address, e-mail, or telephone number listed above. For more timely access to the proposed text of the regulations and in the interest of waste prevention, interested parties are encouraged to access the CIWMB's

website at <http://www.ciwmb.ca.gov/Rulemaking/LongTermGas/> Additionally, the final statement of reasons will be available at the above listed Internet address or you may call the contact persons named above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The CIWMB may adopt the proposed regulation changes as described in this notice. If the CIWMB makes modifications which are sufficiently related to the proposed text, it will make the modified text — with changes clearly indicated — available to the public for at least 15 days before the CIWMB adopts the regulations as revised. Requests for the modified text should be made to the contact person. The CIWMB will transmit any modified text to all persons who testify at a public hearing if one is held; all persons who submit written comments at a public hearing; all persons whose comments are received during the comment period; and all persons who request notification of the availability of such changes. The CIWMB will accept written comments on the modified regulations for 15 days after the date on which they are made available.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

BOARD OF EDUCATION

California Fresh Start Pilot Program

This action is the Certificate of Compliance filing making permanent the prior emergency adoption of regulations implementing the California Fresh Start (CFS) Pilot Program. The CFS program is mandated by S.B. 281 (Stats. 2005, Chap. 236). The prior emergency files related to this Certificate of Compliance filing are OAL file numbers 06-0306-01E and 06-0719-01E.

Title 5

California Code of Regulations

ADOPT: 15566, 15567, 15568 REPEAL: 15569

Filed 08/30/06

Effective 08/30/06

Agency Contact: Debra Strain (916) 319-0641

BOARD OF PHARMACY**Intern Pharmacist Address**

In this regulatory action, the Board of Pharmacy provides that the Board shall not make an intern pharmacist's address publicly available on the internet.

Title 16

California Code of Regulations

ADOPT: 1727.1

Filed 08/31/06

Effective 09/30/06

Agency Contact:

Virginia Herold

(916) 445-5014 x4005

DEPARTMENT OF FOOD AND AGRICULTURE**Mediterranean Fruit Fly Interior Quarantine**

This emergency regulatory action removes the Mediterranean Fruit Fly Interior Quarantine currently in effect in 3 Cal. Code Regs. § 3406(b) for San Bernardino and Los Angeles Counties.

Title 3

California Code of Regulations

AMEND: 3406(b)

Filed 09/05/06

Effective 09/05/06

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF SOCIAL SERVICES**IHSS Hourly Task Guidelines**

This action amends Department of Social Services's Manual of Policies and Procedures (MPP) sections for in-home supportive services to establish statewide hourly task guidelines (HTGs) and instructions for assessing and authorizing service hours to meet the needs of recipients, pursuant to Welfare & Institutions Code sections 12301.2 and 12301.75 (enacted, SB 1104; Stats. 2004, ch. 229).

Title MPP

California Code of Regulations

AMEND: 30-757.1, 30-757.14, 30-780(b), 30-780.1(b)(1)

Filed 09/01/06

Effective 09/01/06

Agency Contact: Alison Garcia (916) 657-2586

DEPARTMENT OF SOCIAL SERVICES**Quality Assurance Regulations**

This rulemaking implements the Department of Social Services' (CDSS) In-Home Supportive Services Personal Care Services Program (IHSSPCSP) with respect to the Quality Assurance (QA) element. Pursuant to Section 12305.71 of the Welfare and Institutions Code, the CDSS was mandated to improve the quality

of IHSSPCSP service need assessments, enhance program integrity, and detect and prevent program fraud and abuse. This section requires each county to establish a dedicated, specialized IHSSPCSP QA function or unit to perform specific activities.

Title MPP

California Code of Regulations

ADOPT: 30-702 AMEND: 30-760.1

Filed 09/01/06

Effective 09/01/06

Agency Contact: Alison Garcia (916) 657-2586

EMPLOYMENT DEVELOPMENT DEPARTMENT**Purge of Disqualification for Irresistible Compulsion to use or Inability to Abstain from Using Intoxicants**

This non-substantive regulatory change is made to conform California Code of Regulations, title 22, section 1256.5-1 to section 1256.4 of the Unemployment Insurance Code. As a result of the renumbering of the statute, the California Code of Regulations requires an amendment to section 1256.5-1.

Title 22

California Code of Regulations

AMEND: 1256.5-1

Filed 08/31/06

Effective 08/31/06

Agency Contact: Laura Colozzi (916) 654-7712

FISH AND GAME COMMISSION**Ocean Salmon Sport Fishing**

This rulemaking amends section 27.80 of Title 14 which designates the opening/closing season dates for recreational ocean salmon fishing in the waters off California. The regulatory action changes the open season for recreational fishing of salmon pursuant to federal action on the issue [in response to lower than projected "natural spawner escapement goals."] In that the Klamath fall Chinook stock is at an extremely low ocean abundance in 2006, the open season for fishing has been adjusted accordingly. The State must act or risk the possibility of losing jurisdiction according to the Magnuson Fisheries Conservation & Management Act (16 USC 1856). This regulatory action adopts the federal ocean salmon regulations for waters off California for recreational fishing of Salmon.

Title 14

California Code of Regulations

AMEND: 27.80

Filed 08/31/06

Effective 08/31/06

Agency Contact: Sherrie Koell (916) 653-4899

STATE ALLOCATION BOARD

Leroy F. Greene School Facilities Act of 1998 — General Site Development

In this emergency regulatory action, the State Allocation Board amends regulations pertaining to the Leroy F. Greene School Facilities Act of 1998 to provide an additional new construction grant for “General Site Development” costs.

Title 2

California Code of Regulations

AMEND: 1859.2, 1859.76, 1859.83, 1859.163.1

Filed 09/05/06

Effective 09/05/06

Agency Contact: Lisa Jones (916) 322–1043

STATE WATER RESOURCES CONTROL BOARD
Amendment to Santa Ana Basin Plan

This action will establish a TMDL for coliform bacteria as part of the basin plan for a portion of the Santa Ana River with the goal of reducing the concentration of bacteria in waters discharged to the watershed and over time, attainment of water quality compatible with recreational use of surface waters involving body contact.

Title 23

California Code of Regulations

ADOPT: 3979.1

Filed 09/01/06

Effective 09/01/06

Agency Contact: Nirmal Sandhar (916) 341–5571

STATE WATER RESOURCES CONTROL BOARD
Repeal Expired Waiver Language for Reuse of Oil Field Waste Materials

The Central Coast Regional Water Quality Control Board (Regional Board) adopted the current Water Quality Control Plan, Central Coast Basin (Basin Plan) on September 8, 1994, which included Resolution Nos. 73–05 and 89–04 as Appendix A–16 and A–17, respectively. Resolution No. 73–05, adopted December 14, 1973, dealt with the beneficial use of oil field waste materials in the Santa Maria Valley. Section 5(f) of Resolution 89–04, adopted November 17, 1989, expanded the beneficial use of oil field waste materials policy to apply throughout the region. This action is the State Water Resources Control Board’s approval of the Regional Board’s nonsubstantive amendment to the Basin Plan repealing Resolution No. 73–05 and section 5(f) of Resolution No. 89–04.

Title 23

California Code of Regulations

AMEND: 3920

Filed 08/31/06

Effective

Agency Contact:

Michael Buckman

(916) 341–5479

STATE WATER RESOURCES CONTROL BOARD
Amendment to LA Basin Plan

Title 23 section 3939.22 implements the Early Life Stages (“ELS”) provision of ammonia objectives contained in the Los Angeles Region Water Quality Control Plan. ELS of fish are presumptively present and must be protected at all times of the year, unless the water body is listed in the table titled “Water Bodies Subject to 30–day Average Objective Applicable to ‘ELS absent’ Condition.” This rulemaking package implements the “Early Life Stages — Absent” (“ELS-absent”) standard for water bodies subject to the inland surface water ammonia objectives. Ammonia objectives for water bodies that are determined to be ELS-absent may be suspended if the water temperature is 15 degrees Celsius (59 degrees Fahrenheit) or below. The total number of water bodies designated ELS-absent is 38, while 296 are designated ELS-present, or supporting the ELS of fish.

Title 23

California Code of Regulations

ADOPT: 3939.22

Filed 08/31/06

Effective 08/31/06

Agency Contact: Greg Frantz

(916) 341–5553

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN APRIL 05, 2006 TO
SEPTEMBER 06, 2006**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

09/05/06 AMEND: 1859.2, 1859.76, 1859.83, 1859.163.1

08/23/06 AMEND: 1181.4

08/21/06 AMEND: 1859.2, 1859.70.1, 1859.71.3, 1859.78.5

08/15/06	ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.37, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.75, 20108.80	06/28/06	AMEND: 3433(b)
08/11/06	AMEND: 1859.2, 1859.40, 1859.51, 1859.70, 1859.93.1, 1859.95, 1859.147, 1859.202, 1866	06/12/06	AMEND: 3433(b)
07/24/06	AMEND: 18944	05/23/06	ADOPT: 6580, 6582, 6584
07/06/06	AMEND: 575.1, 575.2	05/23/06	ADOPT: 3424
06/20/06	AMEND: 18537	05/19/06	AMEND: 3433(b)
06/08/06	AMEND: 18526	05/18/06	ADOPT: 1472.7.2 AMEND: 1472, 1472.4
05/26/06	ADOPT: 18438.5 AMEND: 18438.8	05/18/06	AMEND: 3591.12(a)
05/25/06	AMEND: 18942	05/11/06	AMEND: 3591.19
05/24/06	AMEND: 433.1	04/28/06	AMEND: 1380.19, 1420.10
05/24/06	ADOPT: Div. 8, Ch. 111, Sec. 59560	04/27/06	AMEND: 3406(b)
05/17/06	ADOPT: 22610.1, 22610.2, 22610.3, 22610.4	04/13/06	AMEND: 1446.4, 1454.10, 1462.10
05/15/06	AMEND: 1859.2, 1859.40, 1859.51, 1859.70, 1859.93.1, 1859.95, 1859.147, Form SAB 50-04	04/11/06	AMEND: 3700(c)
05/08/06	AMEND: 18537.1	04/11/06	AMEND: 3700(c)
04/24/06	AMEND: 20108.70, Division 7	04/10/06	AMEND: 3406(b)
04/10/06	ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.37, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.75, 20108.80	Title 4	
Title 3		07/19/06	AMEND: 12358, 12359
09/05/06	AMEND: 3406(b)	07/17/06	AMEND: 2240(e)
08/29/06	AMEND: 3433(b)	06/20/06	AMEND: 1472
08/24/06	AMEND: 3433(b)	06/01/06	AMEND: 8070(d), 8071(a)(9), 8072, 8073(c), 8074(b), 8076(c)(1)
08/23/06	AMEND: 3591.12(a)	05/18/06	ADOPT: 12358
08/17/06	AMEND: 3591.19(a)	05/05/06	AMEND: 150
08/16/06	AMEND: 3433(b)	Title 5	
08/15/06	AMEND: 3700(c)	08/30/06	ADOPT: 15566, 15567, 15568 REPEAL: 15569
08/15/06	AMEND: 3700(c)	08/15/06	AMEND: 1030.7, 1030.8
08/10/06	AMEND: 3591.6(a)	07/31/06	ADOPT: 1043.2, 1043.4, 1043.6, 1043.8, 1043.10, 1047, 1048 AMEND: 1040, 1041, 1043, 1044 REPEAL: 1042, 1045, 1046
08/01/06	AMEND: 3591.6(a)	07/25/06	ADOPT: 1207.1, 1207.2 AMEND: 1204.5
08/01/06	AMEND: 3424(b)	07/21/06	ADOPT: 15566, 15567, 15568, 15569
07/28/06	AMEND: 3591.2(a)	07/14/06	ADOPT: 51016.5, 55183
07/26/06	AMEND: 3700(c)	06/12/06	ADOPT: 19833.5, 19833.6 AMEND: 19815, 19816, 19816.1, 19819, 19824, 19828.1, 19831
07/21/06	REPEAL: 1366	06/09/06	ADOPT: 19827 AMEND: 19812, 19813, 19814, 19814.1, 19815, 19816, 19817, 19817.1, 19826, 19826.1, 19836, 19851, 19853
07/19/06	ADOPT: 6310 AMEND: 6170	05/25/06	AMEND: 1074
07/18/06	ADOPT: 6960 AMEND: 6000	05/16/06	ADOPT: 51025.5
07/17/06	AMEND: 3591.6(a)	05/15/06	ADOPT: 11987, 11987.1, 11987.2, 11987.3, 11987.4, 11987.5, 11987.6, 11987.7
07/05/06	AMEND: 3591.6	05/12/06	AMEND: 19819, 19851
07/03/06	AMEND: 3589(a)	04/28/06	AMEND: 51026, 53206, 54024, 54100, 54616, 54700, 54706, 55005, 55160, 55300, 55316, 55316.5, 55320, 55321, 55322, 55340, 55350, 55401, 55403, 55404, 55512, 55522, 55530, 55605,

	55675, 55753.5, 55753.7, 56000, 56050, 56062, 56200, 56201, 56202, 56204	08/02/06	ADOPT: 2790.7
Title 8		08/01/06	ADOPT: 5370, 5371, 5372, 5373, 5374, 5375, 5376, 5377
07/31/06	AMEND: 5154.1	07/28/06	AMEND: 2698.52(c), 2698.53(b), 2698.56(c)
07/28/06	AMEND: Subchapter 4, Appendix B, Plate B-1-a	07/26/06	ADOPT: 5280, 5281, 5282, 5283, 5284, 5285, 5286
07/27/06	ADOPT: 3395	07/24/06	ADOPT: 2498.6
07/19/06	ADOPT: 10004, 10005 AMEND: 10133.53, 10133.55	07/18/06	AMEND: 2498.5, 2498.6
07/18/06	AMEND: 3270	07/14/06	AMEND: 2632.5, 2632.8, 2632.11
06/30/06	AMEND: 9793, 9795	07/12/06	ADOPT: 2190.20, 2190.22, 2190.24
06/26/06	ADOPT: 6858 AMEND: 6505, 6533, 6551, 6552, 6755, 6845, 6657 REPEAL: 6846	07/12/06	AMEND: 2498.4.9
06/06/06	AMEND: 5155	07/12/06	AMEND: 2697.6
05/25/06	AMEND: 4650	07/10/06	ADOPT: 2509.21
04/19/06	AMEND: 3395	06/30/06	ADOPT: 2194.9, 2194.10, 2194.11, 2194.12, 2194.13, 2194.14, 2194.15, 2194.16, 2194.17
04/17/06	AMEND: 2320.4(a)(3)	06/19/06	AMEND: 2318.6, 2353.1, 2354
04/11/06	ADOPT: 32613 AMEND: 32130, 32135, 32140, 32155, 32190, 32325, 32350, 32400, 32450, 32500, 32602, 32604, 32605, 32607, 32609, 32615, 32620, 32621, 32625, 32630, 32635, 32640, 32644, 32647, 32648, 32649, 32650, 32680, 32690, 32781, 32980, 33020, 40130	06/05/06	AMEND: 3528
		06/01/06	ADOPT: 2695.1(g), 2695.14 AMEND: 2695.1, 2695.2, 2695.7, 2695.8, 2695.9, 2695.10, 2695.12
Title 9		05/25/06	ADOPT: 2188.23, 2188.24, 2188.83 AMEND: 2186.1, 2188.2, 2188.6, 2188.8
06/07/06	ADOPT: 10056, 10057	05/18/06	AMEND: 2498.6
05/24/06	ADOPT: 3400	04/28/06	ADOPT: 2670.1, 2670.2, 2670.3, 2670.4, 2670.5, 2670.7, 2670.8, 2670.9, 2670.10, 2670.11, 2670.12, 2670.13, 2670.14, 2670.15, 2670.17, 2670.18, 2670.19, 2670.20, 2670.21, 2670.22, 2670.23, 2670.24
05/19/06	ADOPT: 1810.100, 1810.110, 1810.200, 1810.201, 1810.202, 1810.203, 1810.203.5, 1810.204, 1810.205, 1810.205.1, 1810.205.2, 1810.206, 1810.207, 1810.208, 1810.209, 1810.210, 1810.211, 1810.212, 1810.213, 1810.214, 1810.214.1, 1810.215, 1810.216	04/20/06	AMEND: 2498.5
04/19/06	AMEND: 10000, 10010, 10015, 10020, 10025, 10030, 10035, 10040, 10045, 10050, 10055, 10060, 10065, 10070, 10080, 10085, 10090, 10095, 10105, 10110, 10115, 10120, 10125, 10130, 10140, 10145, 10150, 10155, 10160, 10165, 10170, 10175, 10185, 10190, 10195	04/18/06	AMEND: 2498.4.9
		04/18/06	AMEND: 2498.4.9
Title 10		Title 11	
08/29/06	AMEND: 2699.6600	08/16/06	ADOPT: 1084
08/28/06	ADOPT: 803, 810, 810.1, 810.2, 810.3, 810.4, 810.5, 810.6, 810.7 AMEND: 800, 801, 802, 804, 806, 807	07/27/06	AMEND: 1001, 1005, 1008, 1011, 1014, 1015, 1018, 1052, 1053, 1055, 1056, 1081 and Procedures D-1, D-2, D-10 E-1, F-1, and F-6
08/08/06	ADOPT: 3583 AMEND: 3500, 3525, 3527, 3528, 3541, 3542, 3543, 3544, 3563, 3568, 3603, 3622, 3668, 3681, 3682, 3761 REPEAL: 3541	07/12/06	AMEND: 999.2
		06/28/06	ADOPT: 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4030, 4031, 4032, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4045, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066
		06/28/06	ADOPT: 4400(l), 4400(mm), 4401.1, 4406 AMEND: 4440.3 REPEAL: 4400(l), 4406
		05/23/06	AMEND: 1002(c)
		05/22/06	AMEND: 968.44, 968.46

05/22/06 REPEAL: 2033
05/12/06 AMEND: 900, 901, 902, 903, 904, 905,
906, 907, 908, 909, 910

Title 12

04/10/06 AMEND: 453.1

Title 13

08/24/06 AMEND: 28.22
07/28/06 AMEND: 154.00
06/30/06 ADOPT: 85.00, 85.02, 85.04, 85.06,
85.08
06/29/06 AMEND: 345.16
06/16/06 AMEND: 2023.4
06/15/06 AMEND: 1239
05/22/06 ADOPT: 86500, 86501
05/22/06 AMEND: 425.01
05/18/06 ADOPT: 550.20 AMEND: 551.11,
551.12
05/02/06 ADOPT: 345.07 AMEND: 345.06

Title 14

08/31/06 AMEND: 27.80
08/11/06 AMEND: 1261
08/11/06 AMEND: 7.50
08/04/06 ADOPT: 701, 702 AMEND: 1.74, 27.15,
27.67, 478.1, 551, 601, 708
07/31/06 ADOPT: 4970.49, 4970.50, 4970.51,
4970.52, 4970.53, 4970.54, 4970.55,
4970.56, 4970.57, 4970.58, 4970.59,
4970.60, 4970.61, 4970.62, 4970.63,
4970.64, 4970.65, 4970.66, 4970.67,
4970.68, 4970.69, 4970.70, 4970.71,
4970.72
07/31/06 ADOPT: 4970, 4970.02, 4970.03,
4970.04, 4970.05, 4970.06, 4970.07,
4970.08, 4970.09, 4970.10, 4970.11,
4970.12, 4970.13, 4970.14, 4970.15,
4970.16, 4970.17, 4970.18, 4970.19,
4970.20, 4970.21 AMEND: 4970.00,
4970.01 REPEAL: 4970.02, 4970.03,
4970.04
07/28/06 ADOPT: 7.50(b)(178)
07/28/06 AMEND: 15411
07/19/06 ADOPT: 18459.1.2, Forms CIWMB 203,
204 AMEND: 18449, 18450, 18451,
18453.2, 18456, 18456.2.1, 18459,
18459.1, 18459.2.1, 18459.3, 18460.1,
18460.1.1, 18460.2, 18460.2.1, 18461,
18462, 18463, 18464, 18466, Penalty
Tables 1, 11
07/12/06 AMEND: 507.1
07/11/06 AMEND: 15251
07/11/06 ADOPT: 1723(g) AMEND: 1722(j),
1722, 1722.1, 1722.1.1, 1723(a),
1723.1(c), 1723.1(d), 1723.5,
1723.7(d)(2)(f), 1723.8

06/30/06 AMEND: 360, 361, 362, 363, 364
06/30/06 AMEND: 11900
06/29/06 AMEND: 851.23
06/23/06 AMEND: 1220
06/16/06 AMEND: 895, 895.1, 1038, 1038(f)
06/08/06 AMEND: 746
06/05/06 AMEND: 791.7, Form FG OSPR-1972
05/26/06 AMEND: 670.2
05/23/06 AMEND: 401
05/17/06 AMEND: 182
05/11/06 AMEND: 27.80
05/08/06 ADOPT: 1299
04/21/06 AMEND: 27.60, 28.59
04/17/06 AMEND: 791.7, 793, 795
04/11/06 AMEND: 18454, 18456, 18456.3,
CIWMB form 60
04/10/06 AMEND: 630

Title 14, 22

07/27/06 ADOPT: 69200, 69201, 69202, 69203,
69204, 69205, 69206, 69207, 69208,
69209, 69210, 69211, 69212, 69213,
69214 REPEAL: 19030, 19031, 19032,
19033, 19034, 19035, 19036, 19037,
19038, 19039, 19040, 19041, 19042,
19043, 19044

Title 15

08/11/06 ADOPT: 4034.0, 4034.1, 4034.2, 4034.3,
4034.4 REPEAL: 4036.0, 4040.0
07/27/06 AMEND: 3000, 3062, 3075, 3210
07/12/06 AMEND: 7001 REPEAL: 2005, 3416,
4020
06/27/06 AMEND: 3341.5
06/09/06 ADOPT: 3040.2 AMEND: 3000, 3040,
3041, 3043, 3043.3, 3043.4, 3043.5,
3043.6, 3044, 3045, 3045.1, 3045.2,
3045.3, 3075
06/06/06 AMEND: 3173.1
05/25/06 AMEND: 3040.1, 3341.5, 3375, 3375.3,
3378
05/22/06 ADOPT: 3043.7 AMEND: 3043.1, 3327,
3328
05/16/06 AMEND: 3999.1.10, 3999.1.8
05/16/06 AMEND: 3999.2
05/01/06 AMEND: 2510, 2511, 2512, 2513
04/24/06 ADOPT: 3054.1, 3054.2, 3054.3, 3054.4,
3054.5, 3054.6 AMEND: 3050, 3051,
3052, 3053, 3054

Title 16

08/31/06 ADOPT: 1727.1
08/25/06 AMEND: 1922, 1936, 1948
08/17/06 ADOPT: 601.5, 642.5 AMEND: 600.1,
601.3, 602, 602.1, 603, 605, 606, 607.4,
608.3, 627
08/10/06 REPEAL: 829

08/04/06	AMEND: 1886.40	Title 21	
08/01/06	ADOPT: 1399.180, 1399.181, 1399.182, 1399.183, 1399.184, 1399.185, 1399.186, 1399.187	07/07/06	AMEND: 7000
07/31/06	AMEND: 3394.4, 3394.6	Title 22	
07/12/06	ADOPT: 1034.1 AMEND: 1021, 1028, 1034	08/31/06	AMEND: 1256.5-1
07/03/06	AMEND: 1399.152, 1399.156.4	08/28/06	ADOPT: 64449.2, 64449.4 AMEND: 64449
06/26/06	ADOPT: 1304.5	08/24/06	ADOPT: 66262.27, 66263.24, Appendix 11 to Chapter 14 AMEND: 66260.10, 66262.20, 66262.21, 66262.23, 66262.32, 66262.33, 66262.34, 66262.42, 66262.53, 66262.54, 66262.55, 66262.56, 66262.60, Appendix to chapter 12, 66263.18, 66263.20, 66263.21, 66263.32
06/14/06	AMEND: 2537, 2537.1	08/09/06	REPEAL: 4402.1, 4403, 4408, 4431
06/05/06	ADOPT: 2608	08/03/06	AMEND: 12805
06/05/06	AMEND: 2630, 2630.1	08/02/06	ADOPT: 64401.71, 64401.72, 64401.73, 64463, 64463.1, 64463.4, 64465, 64466 AMEND: 64426.1, 664432.1, 64451, 64453, 64481, 64482, 64483, 64666 REPEAL: 64463.2, 64464.1, 64464.3, 64464.6, 64465, 64466, 64467, 64467.5, 64468.1, 64468.2, 64468.3, 64468.4
06/05/06	AMEND: 3303	07/24/06	ADOPT: 97900, 97901, 97902, 97910, 97911, 97912, 97913, 97914, 97915, 97916, 97917, 97920, 97921, 97922, 97923, 97924, 97925, 97926, 97927
06/01/06	ADOPT: 137	07/20/06	ADOPT: 68400.11, 68400.12, 68400.13, 68400.14, 68400.15, 68400.16, Appendix I AMEND: 67450.7
05/31/06	ADOPT: 869.9 AMEND: 868, 869	06/12/06	AMEND: 51215.6, 51321, 51323, 51535.1, 51542, 51546 REPEAL: 51124.1, 51215.4, 51335.1, 51511.3
05/30/06	AMEND: 3340.1, 3340.16, 3340.16.5, 3340.17, 3340.41 REPEAL: 3340.16.6	06/05/06	ADOPT: 66260.201 AMEND: 66260.10, 66261.9, 66273.1, 66273.3, 66273.6, 66273.8, 66273.9, 66273.12, 66273.13, 66273.14, 66273.20, 66273.32, 66273.33, 66273.34, 66273.40, 66273.51, 66273.53, 66273.56, 66273.82, 66273.83, 66273.90, Appendix X to Chapter 11
05/22/06	AMEND: 152	05/19/06	AMEND: 12805
05/12/06	AMEND: 1388, 1388.6, 1389, 1392	05/18/06	ADOPT: 64400.38, 64400.40, 64400.45, 64400.47, 64400.67, 64401.65, 64401.82, 64401.92, 64468.5, 64530, 64531, 64533, 64533.5, 64534, 64534.2, 64534.4, 64534.6, 64534.8, 64535, 64535.2, 64535.4, 64536, 64536.2, 64536.4, 64536.6, 64537, 64537.2, 64537.4
05/01/06	AMEND: 8.1, 12, 12.5, 21, 69	05/17/06	ADOPT: 4429 AMEND: 4409, 4400(hh) REPEAL: 4400(ii)
04/17/06	AMEND: 1399.465		
04/17/06	AMEND: 3353		
Title 17			
07/28/06	AMEND: 30180, 30235, 30237		
07/24/06	ADOPT: 100140, 100141, 100142, 100143, 100144, 100145, 100146, 100147, 100148, 100149, 100150		
07/20/06	AMEND: 30100, 30253		
07/05/06	AMEND: 95000, 95001, 95002, 95003, 95004, 95005, 95006, 95007		
05/15/06	AMEND: 60201		
04/20/06	ADOPT: 93119		
04/17/06	AMEND: 70100, 70100.1, 70200, Incorporated Documents		
04/10/06	ADOPT: 30346.11, 30346.12 AMEND: 30345.2, 30346.6, 30348.3		
Title 18			
07/27/06	AMEND: 1591		
07/11/06	REPEAL: 139		
06/23/06	ADOPT: 140, 140.1, 140.2, 143		
04/24/06	ADOPT: 19591 AMEND: 19513, 19524		
04/20/06	AMEND: 4905		
04/20/06	AMEND: 1707		
Title 19			
07/25/06	AMEND: 3.29, 557.23, 561.2, 567, 568, 574.1, 575.1, 575.3, 575.4, 594.4, 596.6, 606.1 REPEAL: 597.5, 597.6, 597.7, 597.8, 597.10, 597.11, 603.3, 605.1, 606.3, 608.7, 608.8, 614, 614.1, 614.3, 614.5, 614.6, 614.7, 614.8		
07/05/06	AMEND: 3062.1, 3063.1		
Title 20			
06/22/06	AMEND: 1601, 1602, 1604, 1605.3, 1607		

05/12/06 ADOPT: 64442, 64443, 64447.3
AMEND: 64415 REPEAL: 64441, 64443

05/10/06 ADOPT: 50960.2, 50960.4, 50960.6, 50960.9, 50960.12, 50960.15, 50960.21, 50960.23, 50960.26, 50960.29, 50960.32, 50960.34, 50960.36, 50961, 50965 AMEND: 50962, 50963, 50964 REPEAL: 50960, 50961

05/08/06 AMEND: 96010

04/20/06 AMEND: 70577, 70717, 71203, 71517, 71545

04/19/06 ADOPT: 4400(kk) REPEAL: 4414

04/12/06 AMEND: 4416

Title 22, MPP

08/11/06 ADOPT: 102416.2, 102416.3 AMEND: 102419, 102423

07/11/06 AMEND: 80019, 80019.1, 80054, 87219, 87219.1, 87454, 87819, 87819.1, 87854, 88019, 101170, 101170.1, 101195, 102370, 102370.1, 102395

Title 23

09/01/06 ADOPT: 3979.1

08/31/06 ADOPT: 3939.22

08/31/06 AMEND: 3920

08/11/06 ADOPT: 3907

08/04/06 ADOPT: 3949.2

08/04/06 ADOPT: 3929

07/25/06 ADOPT: 2814.20, 2814.21, 2814.22, 2814.23, 2814.24, 2814.25, 2814.26, 2814.27, 2814.28, 2814.29, 2814.30, 2814.31, 2814.32, 2814.33, 2814.34, 2814.35, 2814.36, 2814.37

07/21/06 ADOPT: 3949.1

06/30/06 ADOPT: 3949

04/25/06 ADOPT: 2919

04/25/06 ADOPT: 3948

04/10/06 ADOPT: 2917 AMEND: 2914.5

Title 25

05/15/06 AMEND: 6932

04/24/06 AMEND: Adding a title to Ch. 7, Subchapter 21

Title 27

06/13/06 AMEND: 15241, 15242

Title 28

06/26/06 ADOPT: 1300.67.24 REPEAL: 1300.67.24

Title MPP

09/01/06 ADOPT: 30-702 AMEND: 30-760.1

09/01/06 AMEND: 30-757.1, 30-757.14, 30-780(b), 30-780.1(b)(1)

07/20/06 AMEND: 63-410

06/26/06 AMEND: 30-757, 30-761